

on the labels but did contain a less amount. Misbranding was alleged for the further reason that the articles were food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the packages. Misbranding of the White Swan Brand peppermint extract was alleged for the reason that the statements, to wit, "Pure Extract Peppermint" and "2½ Fl. Oz.," borne on the labels attached to the bottles containing the article, regarding the article and the ingredients and substances contained therein, were false and misleading in that they represented that the said article was pure extract peppermint and that each of the said bottles contained 2½ fluid ounces thereof, and for the further reason that the said article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it was pure extract peppermint and that each of the said bottles contained 2½ fluid ounces thereof, whereas, in truth and in fact, it was not pure extract peppermint but was a dilute peppermint extract, and each of the bottles contained a less amount. Misbranding was alleged for the further reason that the said article was a dilute peppermint extract prepared in imitation of pure extract peppermint and was offered for sale and sold under the distinctive name of another article, to wit, pure extract peppermint, and for the further reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package. Misbranding of the "All-Over" headache migraine tablets was alleged for the reason that the statement, to wit, "Each tablet contains Acetanilid 3½ Grs.," borne on the boxes containing the article, regarding the article and the ingredients and substances contained therein, was false and misleading in that it represented that each tablet contained 3½ grains of acetanilid, whereas, in truth and in fact, each of said tablets did not contain 3½ grains of acetanilid but did contain a less amount. Misbranding was alleged for the further reason that the article contained acetanilid, and the label failed to bear a statement of the quantity and proportion of acetanilid contained therein.

Adulteration of the White Swan Brand peppermint extract was alleged for the reason that a substance, to wit, a dilute peppermint extract, had been substituted in whole or in part for pure extract peppermint, which the article purported to be. Adulteration of the "All-Over" headache migraine tablets was alleged in the information for the reason that their strength and purity fell below the professed standard under which they were sold in that they were sold as a product each tablet of which contained 3½ grains of acetanilid, whereas, in truth and in fact, each tablet contained less than 3½ grains of acetanilid.

On February 23, 1921, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$98.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9674. Misbranding of Nerv-Mintz. U. S. \* \* \* v. 36 Packages of \* \* \***  
**Nerv-Mintz. Default decree of condemnation, forfeiture, and de-**  
**struction. (F. & D. No. 13493. I. S. No. 3043-t. S. No. C-2137.)**

On August 24, 1920, the United States attorney for the Eastern District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 36 packages of Nerv-Mintz, remaining in the original unbroken packages at Chattanooga, Tenn., alleging that the article had been shipped by the Earle Chemical Co., Wheeling, W. Va., June 25, 1920, and transported from the State of West Virginia into the State of Tennessee, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Box) "Nerv-Mintz Nerve and Energy Tablets Especially A Nerve Strengthenener \* \* \* soothe and quiet the nerves

\* \* \* used for the relief of nervousness, loss of vigor, energy and ambition—lack of confidence, sleeplessness, trembling, nervelessness, shifty gait, shattered nerves, exhausted or weakened vitality, mental depression, numbness, weakening habits, \* \* \* and all overworked and unstrung nerves induced by fast living and other excesses. \* \* \* in the treatment of nervous conditions which follow too strenuous living, mental and physical fatigue, and other excesses”; (circular) “Nerv-Mintz For Nervous Debility \* \* \* exceptionally efficient in the treatment of nervousness, loss of vigor, energy and ambition, lack of confidence, sleeplessness, shifty gait, shattered nerves, weakened or exhausted vitality, mental or physical depression, weakening habits, \* \* \* and for all over-worked and unstrung nerves induced by fast living and other excesses. \* \* \* To all those who thus suffer from the effects of fast living, over-work and the drains of present day strenuous excesses, Nerv-Mintz prove most wonderful rejuvenators, restoring the lost vitality you perhaps had thought was gone forever. Generally results are quick. \* \* \* Keep up the treatment \* \* \*.”

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of tablets containing zinc phosphid, nuxvomica, saw palmetto, capsicum, and aloin.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements regarding the curative and therapeutic effects thereof were false, fraudulent, and misleading in that the said article contained no ingredient or combination of ingredients capable of producing the effects claimed and was not, in fact, a cure and relief for the complaints and ailments as above set forth.

On November 26, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**9675. Misbranding of Red Cross tansy pills. U. S. \* \* \* v. 3 Dozen Packages of \* \* \* Red Cross Tansy Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13814. Inv. No. 23247. S. No. C-2563.)**

On October 23, 1920, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen packages of Red Cross tansy pills, at Duluth, Minn., alleging that the article had been shipped by the Norman Lichty Mfg. Co., Des Moines, Iowa, on or about January 30, 1920, and transported from the State of Iowa into the State of Minnesota, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of aloes and ferrous sulphate.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements regarding the curative and therapeutic effect thereof, to wit, (carton) “\* \* \* Relieves Cases of obstructions of long standing and the Regulation of Female Complaints,” (circular) “\* \* \* Sure Relief in cases of obstructions of long standing and the Regulation of all Female Complaints \* \* \* safe and sure as a monthly regulator. \* \* \* Suppression of menstruation \* \* \* The object of this remedy is to relieve this abnormal condition, and long experience in its use has demonstrated